

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STEVE MICHAEL COX,)	3:03-CV-0651-PMP (RAM)
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	June 22, 2006
)	
E.K. McDANIEL, et al.,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE ROBERT A. McQUAID, JR., U.S. MAGISTRATE JUDGE

DEPUTY CLERK: GINA MUGNAINI REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Plaintiff has filed a Motion to Cancel Deposition (Doc. #155). Defendants have responded (Doc. #154).

Plaintiff's deposition was scheduled for June 9, 2006, at the Ely State Prison. On that date counsel for the State Defendants and a court reporter traveled to Ely. Plaintiff refused to attend the deposition unless he was provided a wheelchair to traverse the distance from his cell to the place of the deposition. There is no medical restriction in Plaintiff's record requiring the use of a wheelchair.

The Defendants shall notice Plaintiff's deposition again for a time convenient. The Plaintiff is ordered to attend the deposition and respond to questions. A failure of the Plaintiff to attend that deposition will be a violation of a court order and will result in a recommendation to dismiss this case because of that violation.

Plaintiff's Motion to Cancel Deposition (Doc. #155) is **DENIED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk